

TOWN MANAGER
Ken Deal

TOWN CLERK
Pamela Mills

TOWN ATTORNEY
Tom Brooke



MAYOR
Lee Withers

TOWN COUNCIL
Arthur Heggins
Brandon Linn
Rodney Phillips
Charles Seaford
Steve Stroud

TOWN OF CHINA GROVE

A regular meeting of the China Grove Town Council

Tuesday, January 08, 2019
7:00 p.m.

China Grove Town Hall
China Grove, North Carolina

CALL TO ORDER

Mayor Withers called the regular meeting of January 8th, 2019 to order and recognized Troop 315 for attending the meeting. He asked Noah King to led the audience in the Pledge of Allegiance.

Mayor Withers called roll. All council members were present with the exception of Mr. Seaford and Mr. Linn. There was a quorum.

The meeting started at 7:00 pm at the Town Hall.

Mayor Withers amended the agenda with these changes:

- Call to Order: add Item V) Recognize Troop 315
- New Business: add Item III) Downtown Sidewalk Lighting
- Department Updates: move Item I) to Item IV)
- Other Business: add Item I) Board of Trade update
- Add Item II) Town and State Dinner invitation

Old Business: add Item I) South end Business District

Mr. Phillips made a motion to adopt the agenda. Mr. Heggins seconded the motion, which carried unanimously.

Consent Agenda items:

- a) Approve Minutes from the December 4th, 2018 regular meeting

Mr. Phillips made a motion to approve the consent agenda. Mr. Stroud seconded the motion, which carried unanimously.

Mayor Withers recognized Troop 315 for attending the meeting. Scout Master Jeremy Jenkins thanked the Board for allowing the group to attend. He stated the Troop meets at Grace Lutheran Church off of Miller Road. He introduced Scout Leaders Anthony Darby, Gary Kluttz and Jamie Basinger.

CITIZEN COMMENT

Eli Fisher – 730 Daughtery Road

He stated he is representing the Linker's who own the property located on 730 Daughtery Road. He stated Mr. Linker has lived on the property his entire life. He stated the single wide that is located on the property is an older home and is not ADA approved. He stated they are in need of a new home and have saved up the money

for the new single wide trailer. He stated before ordering the home he visited Rowan County Planning and Zoning and received a preliminary zoning to replace the older home. He stated after ordering the home, Rowan County Planning and Zoning found out that this property is in the ETJ of China Grove and this type of home is not allowed. He stated he is asking the Board for an exception to allow this home as a hardship to the property owner.

NEW BUSINESS

I) Duke Energy Site Readiness Program Update

Mr. Shelton stated we have been working over the past couple of months to identify sites for industrial development. He stated they have identified several sites on both sides of Interstate 85 that will be ideal for this type of development. He stated they have also been working with Duke Energy and their Site Readiness Program. He introduced Tammy Whaley, Manager for Economic Development with Duke Energy. Ms. Whaley stated the Site Readiness Report was completed by Alliance Consulting Engineers. She stated Duke Energy partners with several Engineering Firms to see what land is developable. She stated the intent is to review the lands topography, flood, zoning and present an idea of how the buildings could sit on the property. She introduced Andre Lennon, Senior Project Manager for Alliance. Mr. Lennon handed the study out to the Board and stated this study is available electronically. He stated page 5 of the study is data compiled from online research and explains the topographic map, soils map, flood map and wetlands inventory map that are included on the pages that follow. He stated page 13 explains the land cove map, zoning and parcel information of the sites with maps that follow. He stated page 17 discusses the available utilities for these sites. He stated page 19 discusses the transportation system and proximity to both Charlotte and Greensboro. He stated page 22 includes recommendations for the sites with maps included.

Mayor Withers thanked Mr. Shelton, Ms. Whaley and Mr. Lennon for their work put into this study. He asked what would be the next step. Mr. Lennon recommended additional discussions on what type of industries that would be interested in this area.

II) Rowan Salisbury School Consolidation

Mayor Withers stated there is a lot of discussing about redistricting and demolition of old schools in Rowan County. He stated Mr. Phillips and Chairman Wagoner with Rowan County Schools Systems had a discussion on the challenges of redistricting and consolidation of schools. Mr. Phillips stated Mr. Wagoner wants to hear the positive and negative views from municipalities in Rowan County and how we all can work together. Mayor Withers stated the growth is coming to Southern Rowan County and new schools are needed. He stated Mr. Wagoner wants us to think of the foot print of Elementary and Middle Schools and what would happen to the properties. He stated we need to look at is there land available around our town that a new school could go on. He stated the school system owns a large parcel of 38 acres off of Bostian Road.

Mr. Heggins asked if this will include all three school levels. Mayor Withers stated in China Grove it does not but in other parts of the County it could.

III) Downtown Sidewalk Lighting

Mayor Withers stated the sidewalks along Main Street are dark in the evening and night time hours due to not having lighting downtown. Mr. Deal stated moving the powerlines and poles would be ideal, this would give room for decorative street lighting. He stated he has been in contact with Randy from Duke Energy about decorative power poles that allow for sidewalk lighting. He stated better lighting is needed along downtown for pedestrians. He stated we have also been looking into speakers along downtown to pipe music while events are going on.

QUASI-JUDICIAL HEARING

I) 2018-CUP-01 – Used Auto Sales

Mrs. Mills swore in James Whitley, Applicant and Franklin Gover, Assistant Town Manager for testimony during the hearing.

Mr. Gover stated Mr. Whitley is requesting a Conditional Use Permit to allow for auto sales, SIC 5521, in a Highway Business. He stated the parcels are located along S US HWY 29 and are Rowan County Tax Parcels 129A098, 129A047, and 129A056. He stated these three parcels total 1.59 acres. He stated this site has a history of various auto related businesses but no CUP's have been issued. He stated the lubrication shop was permitted in 2003. He stated the property owner states no regular car sales have occurred on this site since 2009. He stated Hardin Drive is a 40-foot private right-of-way which separates the proposed display area from the office and service areas. He stated a 200-foot Duke Energy right-of-way covers the rear of parcels 098 and 047. He stated parcel 129A056 has two existing structures which have been expanded over time. He stated permits have been issued in 2003 for the Lube Shop, 2004 for the pole building which has expired, and 2006 for a 40' x 36' pole building. He stated the buildings on the parcels are brick façade and are compatible with what is permitted today. He stated there are two metal carports located on parcel 129A056 that are in violations. He stated in working with the applicant he has agreed to move these carports out of view and in compliance. He stated the site plan is hand drawn and sufficient enough to understand his intent. He stated this request does not trigger landscaping or parking requirements. He stated this request is in alignment with the Land Use Plan. He handed out example finding of facts.

Mr. Linn arrived at 7:40 pm.

Mayor Withers opened the public hearing.

There was no comment.

Mayor Withers closed the public hearing.

Mr. Phillips made a motion to approve the Finding of Facts that this use does not endanger the public health or safety if located where proposed and developed according to the plan due to the fact the requested use will be located in an existing structure and is subject to the requirements of Salisbury Rowan Utilities, Rowan County Building Inspections, Environmental Health and various other agencies. Mr. Linn seconded the motion, which carried unanimously.

Mr. Phillips made a motion to approve the Finding of Facts that this use meets all required conditions and specifications due to the fact that the special requirements established in the UDO section 4.7 do not apply to this request. Mr. Linn seconded the motion, which carried unanimously.

Mr. Phillips made a motion to approve the Finding of Facts that this use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity due to the fact that no material evidence was presented suggesting this request would injure property values. Mr. Linn seconded the motion, which carried unanimously.

Mr. Phillips made a motion to approve the Finding of Facts that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted land use plans and other plans for physical development of the China Grove area as adopted by the Town Council due to the fact the project is located within the Highway Business zoning district and the General Commercial future land use category. He stated the Highway Business District and automobile sales has been viewed as compatible with the US Highway 29 corridor and the China Grove Land Use Plan seeks to promote development which limits new curb cuts. Mr. Linn seconded the motion, which carried unanimously.

Mr. Phillips made a motion to approve 2018-CUP-01 to allow a used auto sales use, SIC 5521 in a Highway Business District on Tax Parcels 129A098, 129A047, and 129A056 with the condition that all existing zoning or nuisance violations on the subject parcel be corrected or removed prior to issuance of a zoning permit. Mr. Linn seconded the motion, which carried unanimously.

DEPARTMENT UPDATES

I) Police Department

Chief Deal stated calls were down in the month of December. He stated the Department participated in the Toys for Tots program. He stated the Department collect 739 toys and provided 140 kids from 61 families with toys for Christmas.

II) Public Works

Mr. Ketner stated leaves are back on schedule after the snow, rain and holiday. He stated Chief Deal helped plow snow during the storm.

III) Administration

Mr. Deal stated he will be providing a detailed breakdown on the renovation at the community building and we are hoping to complete it soon.

a) Event Coordinator

Ms. Price stated as you know the sledding event did not happen at Christmas in the Grove due to weather. She stated the event was still great despite not having that activity. She stated we are trying to reschedule the sledding to February 16th. She stated she is working on the calendar of events for the 2019 year and has started working on Farmers Day.

IV) Fire Department

Chief Zimmerman stated December was a busy month, they ran 106 calls. He stated the Annual Pump Test was yesterday and both engines and ladder trucks passed. He stated the train had both crossings blocked when a cardiac arrest call came in in December. He stated there was a delay arriving to that call due to the crossing being blocked. He stated CPR was successful and the patient was transported to the hospital.

OTHER BUSINESS

I) Board of Trade

Mayor Withers the Downtown Business are keeping in contact and Miller Davis help promote the businesses during the holidays with the China Grove Holiday Passport. He stated five businesses that were not a part of the Board of Trade have reached out to become a member after seeing customers shopping at businesses that were a part of the passport.

II) Town and State Dinner

Mayor Withers stated the 2019 Town and State Dinner is on February 20th this year and encouraged the Board members to attend. He stated Mr. Linn and himself attended the dinner last year.

OLD BUSINESS

- I) Mayor Withers stated he would like to set time aside to discuss the Southend Business District. He asked Mr. Phillips to get with several Business Owners in that area to set up a meeting.

CLOSED SESSION

I) Economic Development – General Statue 143-318.11. (a) (4)

Mr. Linn made a motion to go into Closed Session at 8:00 pm pursuant to NC General Statute 143-318.11(a)(4) to discuss Economic Development. Mr. Phillips seconded the motion, which carried unanimously.

There was no action taken.

Mr. Linn made a motion to come out of Closed Session at 8:27 pm. Mr. Phillips seconded the motion, which carried unanimously.

ADJOURNMENT

Mr. Stroud made a motion to adjourn. Mr. Linn seconded the motion, which carried unanimously.

Respectfully Submitted,

Pamela L. Mills, CMC
Town Clerk

Lee Withers
Mayor